IN THE HIGH COURT OF BOMBAY AT GOA

COMPANY PETITION NO. 10 OF 2005

M/S C.J. SHAH AND CO.,REP.BY POWER OF ATTORNEY, MUMBAI. ....Petitioner

Versus

PHIL CORPORATION LTD.,THROUGH ITS MANAGING DIRECTOR AND ANR., ...Respondents

Mr. D. P. Bhise, Advocate for the Petitioner.
Ms. Pooja Bharne, Advocate for the Respondents.

Coram:- N. A. BRITTO, J.

Date:- 15th September, 2006

P.C.

Heard Shri Bhise, the learned Counsel on behalf of the Petitioner and Ms. Bharne, the learned Counsel on behalf of the respondents.

2. This petition was filed on or about 29.10.2005. The respondent-Company had approached the Board under Section 15(i) of SICA (SP) Act, 1985, on or about 12.07.2005 i.e. prior to the filing of this petition. Shri Bhise has relied upon the Judgment of Andhra Pradesh High Court, reported in 1996 Company Cases, Vol. 86 Page 590 and submitted that the petition be disposed of in accordance with the said Judgment. Ms. Bharne, the learned Counsel on behalf of the respondents has no objection.

3. Accordingly, the Company Petition is hereby dismissed with no order as to costs. This Order will not come in the way of the petitioner from obtaining permission of the B.I.F.R. and intiate proceedings for winding up.

4. Petition is accordingly disposed of.

N. A. BRITTO, J.

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